

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GENERAL ATOMICS, DIAZYME
LABORATORIES DIVISION, a California
corporation,

Plaintiff,

v.

AXIS-SHIELD ASA, a Norway corporation,

Defendant.

AND ALL RELATED ACTIONS

Case No. 3:05-cv-04074 SI

**STIPULATION AND [PROPOSED]
ORDER REGARDING
EXTENSION OF HEARING DATE
ON GENERAL ATOMICS'
SECOND MOTION FOR
SUMMARY JUDGMENT OF
NONINFRINGEMENT**

Judge: The Honorable Susan Illston

PURSUANT TO THE NOVEMBER 15, 2006 AMENDED STIPULATION AND ORDER FOR PARTIAL STAY OF DISCOVERY IT IS HEREBY STIPULATED by and between the parties to this action through their undersigned counsel that:

The hearing on General Atomics, Diazyme Laboratories Division and Carolina Liquid Chemistries' ("General Atomics") Second Motion For Summary Judgment is continued from January 12, 2007 to February 23, 2007.

STIPULATION AND [PROPOSED] ORDER RE EXTENSION
Case No. 3:05-cv-04074 SI

sd-351834

1 Axis-Shield shall produce Frank Frantzen, Arne Kristian Nordhei, Elisabeth Try Valoe,
2 Arne Ludvig Faaren, and Michael Toney for deposition at a time such that all depositions are
3 concluded no later than January 26, 2007.

4 General Atomics intends to seek documents from and subpoena Ralph Green for
5 deposition; Axis-Shield intends to oppose the production of documents and deposition of Ralph
6 Green.

7 This stipulation and order shall not prejudice or expand the right of Axis-Shield to seek
8 additional discovery or continuance (e.g., per FRCP 56(f)) and shall not prejudice or expand
9 Axis-Shield's right to seek additional briefing.

10 This stipulation and order does not and shall not be relied upon to alter the burdens of
11 proof and production applicable to General Atomics' original moving papers.

12 Dated: December 27, 2006

13 PRESTON GATES & ELLIS LLP

14 By: _____ /s/
15

16 Timothy P. Walker
17 Elaine Y. Chow
18 Attorneys for Defendant/Cross-Complainant
19 AXIS-SHIELD ASA

20 Dated: December 27, 2006

21 MORRISON & FOERSTER LLP

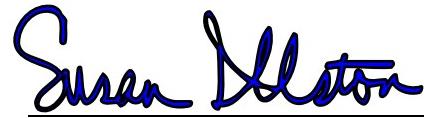
22 By: _____ /s/
23

24 David C. Doyle
25 Steven E. Comer
26 Peng Chen
27 Anders T. Aannestad
28 Jason A. Crotty
Attorneys for Plaintiff
GENERAL ATOMICS, DIAZYME
LABORATORIES DIVISION and
Counterdefendant-counterplaintiff
CAROLINA LIQUID CHEMISTRIES
CORPORATION

1
2 [PROPOSED] ORDER
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IT IS SO ORDERED.

5 Dated: _____
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The Honorable Susan Illston
United States District Judge

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STIPULATION AND [PROPOSED] ORDER RE EXTENSION
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General Order 45 Attestation

I, Anders T. Aannestad, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Extension Of Hearing Date And Briefing Schedule On General Atomics Second Motion For Summary Judgment Of Noninfringement. In compliance with General Order 45, X.B., I hereby attest that Timothy P. Walker and Paul Nyquist have concurred in this filing.

/s/ Anders T. Aannestad
Anders T. Aannestad